

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. MJ 08-135
)	
Plaintiff,)	
)	
v.)	
)	DETENTION ORDER
KELLY ANTHONY BREWER,)	
)	
Defendant.)	
_____)	

Offense charged: International Parental Kidnapping

Date of Detention Hearing: March 28, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is accused of attempting to remove his 11 year old son from the United States to Canada with the intent to obstruct the lawful parental rights of another, that is, his son's

01 mother. Defendant was arrested as he attempted to enter Canada from the State of Washington.
02 The AUSA proffers documents that are alleged to indicate that defendant intended to claim asylum
03 and take up residence for himself and the child in Canada.

04 2. Defendant resides in California with his mother. He has no ties to this District. He
05 is unemployed due to disability. The AUSA proffers the concern that his mother may have been
06 assisting or at least aware of the defendant's alleged intention to remove the child.

07 3. There is an outstanding active, extraditable warrant for contempt for disobeying
08 a court order in Oroville, California, related to this case, issued after defendant failed to appear
09 in court.

10 4. Defendant poses a risk of nonappearance due to unstable employment, an active
11 bench warrant, lack of ties to this District and recent attempt to relocate to another country. He
12 poses a risk of danger due to the nature of the instant offense, and the presence of a firearm in his
13 house.

14 5. There does not appear to be any condition or combination of conditions that will
15 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
16 to other persons or the community.

17 It is therefore ORDERED:

18 (1) Defendant shall be detained pending trial and committed to the custody of the
19 Attorney General for confinement in a correction facility separate, to the extent
20 practicable, from persons awaiting or serving sentences or being held in custody
21 pending appeal;

22 (2) Defendant shall be afforded reasonable opportunity for private consultation with

counsel;

- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 28th day of March, 2008.


Mary Alice Theiler
United States Magistrate Judge